

REMARKS

Claims 1, 4, 6, 7, 9-14, 16-25 and 27-40 are pending. By this Amendment, claims 1, 14, 23-25, 27-39, 31, 32, 34, 35, 37, 39 and 40 have been amended. Support for the claim changes may be found in the as-filed specification at, for example, page 5, lines 6-22 and Figs. 2a, 2b, 5 and 7.

Summary of Claimed Subject Matter in Claims 1, 14, 23, 28, 31, 34 and 37

Applicant's FIGs. 2a-5 illustrate an exemplary embodiment disclosed in the specification of the subject application that is broadly encompassed by the claims. These figures show a menu bar that undergoes an animated transition when a user's selection makes an application active, thereby aiding the user in recognizing that menu bar's options have changed. (Applicant's specification, p. 2, 7-29 and FIGs. 2a, 3a-3g, and 2b).

In FIG. 2a, a word processing application ("Microsoft Word") associated with "Document2" is active. (*Id.* at FIG. 2a and p. 5, 6-22.) The word processing application is also associated with a first menu bar 32, which includes a variety of menu choices ("Format," "Tools," "Table"). (*Id.*)

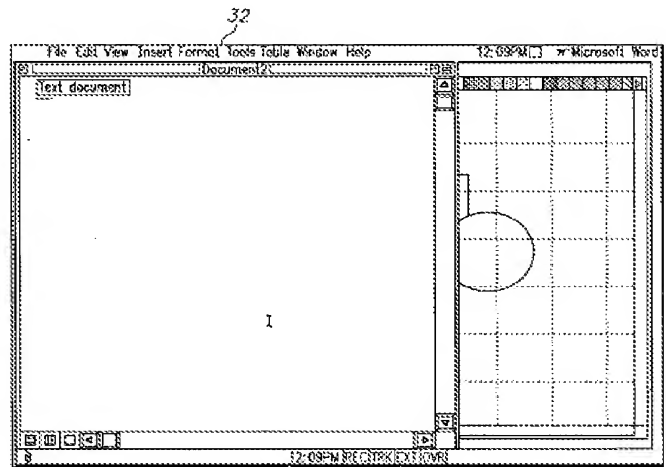


FIG. 2a

Next, as shown in FIG. 2b, when a document ("Untitled Layer 1") associated with a drawing application ("MacDraw Pro") is selected by an associated window, the first menu bar 32 is changed to a second menu bar 34, which includes different menu choices ("Layout," "Arrange," "Pen"). (*Id.*)

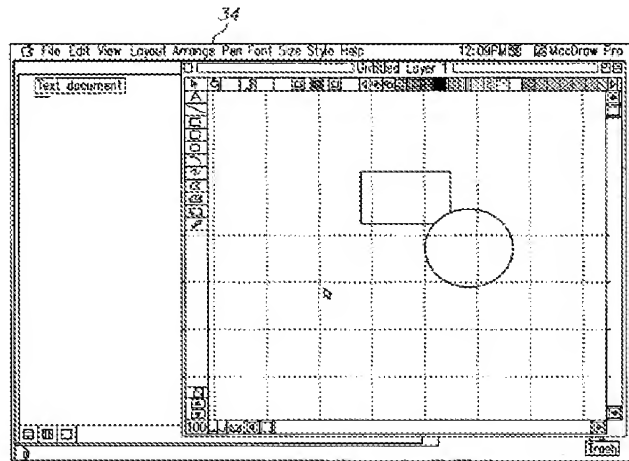


FIG. 2b

When the other window is brought to the foreground of the display, it may be difficult for a user to recognize that the options of menu bar 32 are replaced by the options of menu bar 34. To enable a user to better recognize this change, the exemplary embodiments animate the transition. (*Id.* at p. 6, ll. 12-34.)

FIG. 5 illustrates an exemplary transition between two menu bars 48 and 50. (*Id.* at p. 7, l. 24 – p. 9, l. 8.) As shown in FIG. 5, for example, menu bars 48 and 50 can appear to rotate about an axis such that menu bar 48 is replaced by menu bar 50. (*Id.*)

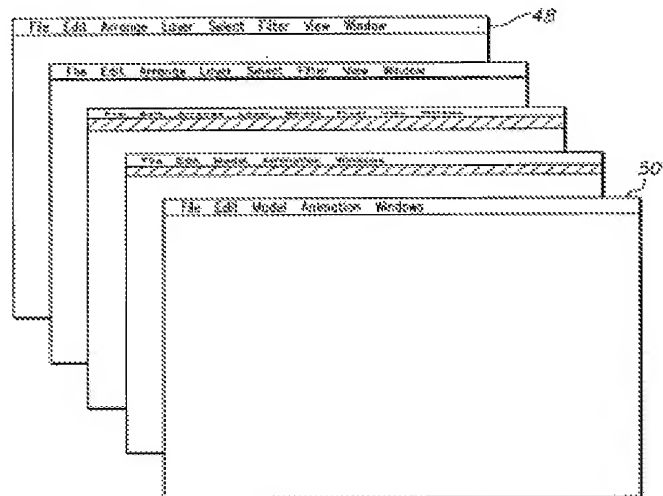
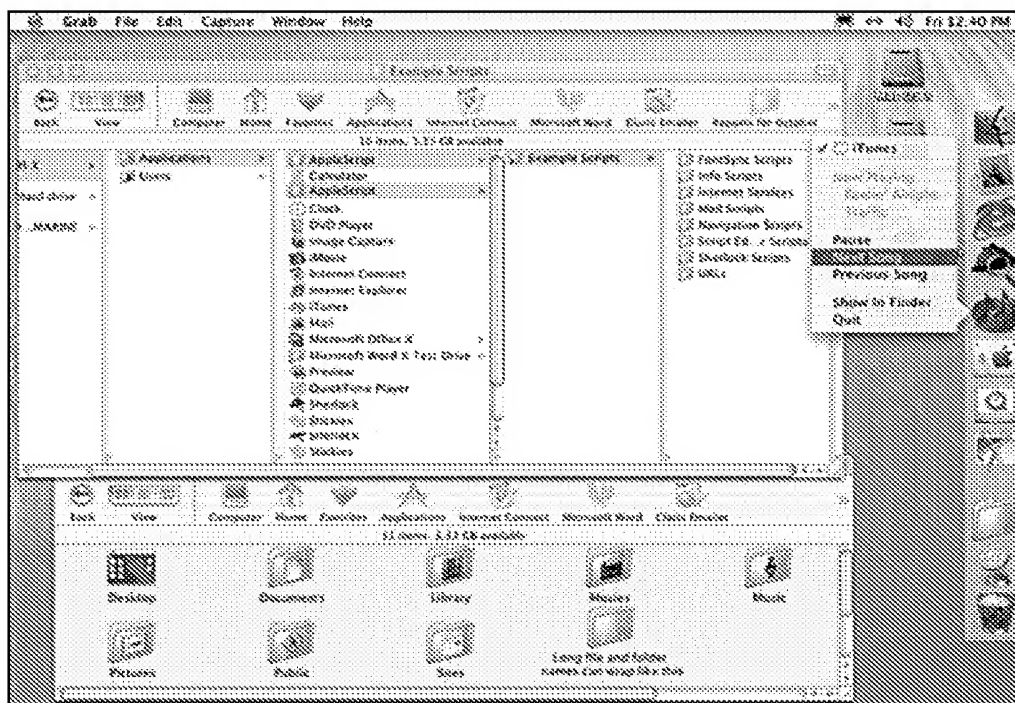


FIG. 5

Applicant's specification states, "the present invention will be described in connection with its implementation within the Macintosh Operating System (Mac OS) available from Apple Computer, Inc. of Cupertino, California." (Specification, p. 3.) As discussed during

the Examiner Interview on January 26, 2011, FIGs. 2a and 2b might be misinterpreted by individuals with unfamiliar with Mac OS. That is, it may not be immediately apparent that the menu bars 32, 34 are displayed in an area of the display that is separate from their associated windows.

Below is a picture taken from an article dated September 28, 2001 reviewing Mac OS X Puma, which was released on September 25, 2001. (*Mac OS X 10.1*, Sept. 29, 2001, retrieved from Internet Web Site http://reviews.cnet.com/macintosh-os/mac-os-x-10/1707-3673_7-7333990.html on Feb. 14, 2011.) As can be seen in the picture, the menu bar is displayed apart from the windows in at the top edge of the GUI. As such, a user that selected the inactive window at the bottom of the GUI might overlook the corresponding change in options in the menu bar at the top of the GUI. This is different than, for example, a MS Windows® GUI, in which each window has a menu bar attached to its frame.



Examiner Interview

Applicant's representative appreciates the opportunity provided by the Examiner to discuss the subject application with her via telephone on January 29, 2011. During the interview, the rejection of claim 37 was discussed with regard to *Robertson et al.* (US 6,909,443, hereinafter "*Robertson*"). Applicant's representative argued that *Robertson* could not support a rejection of claim 37 because the reference does not disclose a "first window" in a "first area," a "second window" in a "second area," and a "first GUI element" and a "second GUI element" in a "third area."

Applicant's representative pointed to the exemplary embodiment shown in FIGs. 2a and 2b. As explained, one window could be that of a word processor window in the foreground of FIG. 2a and another window be that of a drawing editor in the foreground of FIG. 2b. Additionally, menu bar 32 could correspond to the word processor and menu bar 34 corresponding to the drawing editor. With reference to these figures, Applicant's Representative noted that the one of the advantages disclosed by in the specification, since the menu bars for each application were provided in the same area, the displayed transition between the menu bars when one of the application was selected helped users identify when the options changed in the menu bars. For instance, menu bar 32 has different options than menu bar 34.

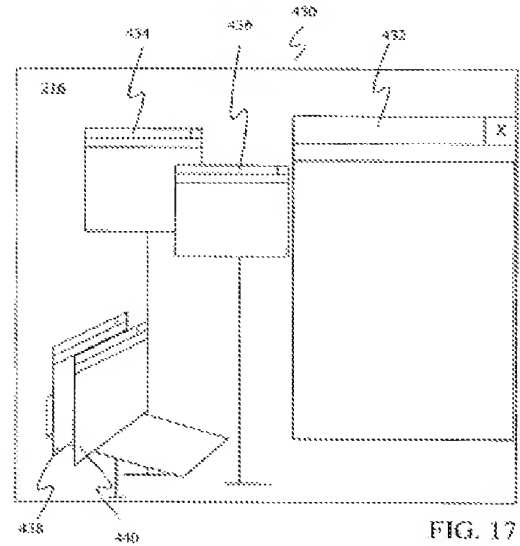
The Examiner apparently considered *Robertson's* disclosure of windows to be the same as those illustrated in Figs. 2A and 2B. That is, each window has a menu bar and, when a particular window is "maximized" to the foreground of a computer display, its menu bar would replace a the menu bar previously maximized on the display. Thus, the Examiner considered *Robertson's* windows to be no different than the windows illustrated in Figs. 2A and 2B.

Rejection Under 35 U.S.C. § 102

Applicant respectfully traverses the rejection of claims 1, 4, 6, 7, 9-14, 16-25 and 27-40 under 35 U.S.C. § 102(b) for allegedly being anticipated by *Robertson*. As noted above, claim 1 has been amended to clarify the recited subject matter. Claim 1 recites, *inter alia*, “providing a transition of a **graphical user interface (GUI) element** ... between *first GUI element information* associated with a first application running on a computer and *second GUI element information* associated with a second application running on the computer” including “removing the first GUI element information from the GUI element and replacing the first GUI element information displayed by the GUI element with the second GUI element information” and “providing visual notification of the replacement of the first GUI element information with the second GUI element by rendering animation graphics to animate a transition of the GUI element between the display of the first GUI element information and second GUI element information.” (Emphasis added.) *Robertson* fails to disclose these features of claim 1.

Robertson provides a user interface for a computer operating system 750 (e.g., Windows® 2000). (*Robertson*, Abstract; col. 27, l. 65 to col. 28, l. 15; FIG. 48.) The user interface allows a user to combine windows together in a group called a “task.” (*Id.*) An image of each task can be positioned within a three-dimensional environment displayed by the user interface application on a display 770. In an exemplary embodiment, the three-dimensional environment represents a virtual art gallery. (*Id.*) The gallery may have several rooms 202, 204, 206, 208. (*Id.* at Figs. 2-6.) The tasks appear as images on walls 210, 212, 214, 216, 218 of the gallery. The gallery also includes a stage 217, which is used to display the task with the current focus of a user. (*Id.* at Abstract.)

FIG. 17 illustrates an embodiment cited in the Office Action. The figure includes windows 432-440. Window 432 is a “focus window,” windows 434 and 436 are in a “loose stack” and windows 438 and 440 are in an “ordered stack.” (*Robertson*, col. 15, ll. 42-47.) A user may selectively replace the focus window 432 with one of windows 434-440 in the stacks. (*Id.* at cols. 16-17, ll. 60-3;



The Examiner apparently considers *Robertson's* windows to correspond to the claimed “windows.” (Office Action, pp. 6-7.) Furthermore, the Examiner apparently considers the replacing of one window with another window to teach the claimed “removing” and “replacing” because one window is located in the position of a previous window. However, *Robertson* the information of each window only corresponds to that window. Thus, the information in a particular window (and its menu bar) does not change when a different window is brought into focus.

Because the information in a particular window (or menu bar) in *Robertson* does not change, the windows cannot be considered to correspond to the claimed “**providing a transition of a [GUI] element ... between first GUI element information ... and second GUI element information.**” (Emphasis added.) Likewise, *Robertson* does not disclose “**removing ... the first GUI element information** displayed by the GUI element and **replacing the first GUI element information ... with the second GUI element information**” and “providing visual notification of the replacement of the first GUI element information with the second GUI element by rendering animation graphics to animate a

transition of the GUI element between the display of the first GUI element information and second GUI element information.” Applicant, therefore, respectfully requests that Examiner withdraw the rejection of claim 1 § 102(e) and allow the claim.

Independent claims 14, 23, 28, 31, 34 and 37 although of different scope than claim 1, recite subject matter similar to that recited in claim 1. Accordingly, claims 14, 23, 28, 31, 34 and 37 are allowable over *Robertson* for the same reasons set forth above with regard to claim 1.

Claims 4, 6, 7, 9-13, 16-22, 24, 25, 27, 29, 30, 32, 33, 35, 36 and 38-40 are allowable due to their corresponding dependence from claims 14, 23, 28, 31, 34 and 37, in addition to reciting other allowable subject matter.

Conclusion

For at least the reasons above, reconsideration and withdrawal of the rejections of the pending claims, and allowance of this application is respectfully requested.

Respectfully submitted,

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